

FILED

JUL 06 1999

KEVIN E. O'BRIEN, CLERK
UNITED STATES
BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

1 Alfred S. Cox
2 Cox and Cox, Attorneys
3 4252 North Brown Avenue
4 P.O. Box 1526
5 Scottsdale, Arizona 85252-1526
6 (602) 254-7203
7 Attorneys associated for movants Scott and
8 Paula Carpinelli
9

10 **UNITED STATES BANKRUPTCY COURT**
11 **DISTRICT OF ARIZONA**

12 In Re:) Chapter 11
13 BCE WEST, L.P., *et al.*,)
14 Debtors.) Case Nos. 98-12547
15 EID # 38-3196719) through 98-12570 ECF CGC
16) Jointly Administered
17) **ORDER GRANTING**
18) **RELIEF FROM THE AUTOMATIC**
19) **STAY (Scott Carpinelli and Paula**
20) **Carpinelli) [DE 824]**

21 The Movant is to serve a copy of this
22 immediately upon Debtor, Debtor's Counsel
23 and the Trustee, as applicable. *Chancy Law*
24 Came on for consideration the Motion for Relief from the Automatic Stay (the
25 "Motion") filed by Scott Carpinelli and Paula Carpinelli, as defined in the Motion. The Court
26 finds that proper notice of the Motion has been given, and after considering the pleadings,
evidence, and the agreement of counsel, it is therefore

824
23 ORDERED that the automatic stay, in effect as a result of section 362(a) of the
24 Bankruptcy Code, is terminated for the sole purpose of permitting Scott Carpinelli and Paula
25 Carpinelli, plaintiffs in the personal injury lawsuit styled *Scott Carpinelli and Paula Carpinelli vs.*
26

Counsel for Movant is to serve a copy of this
Order immediately upon Debtor, Debtor's Counsel
and the Trustee, as applicable. *Chancy Law*

1 *Boston Chicken, Inc.*; In the Circuit Court of Cook County, Illinois; Case No. 98 L 6251
2 ("Lawsuit") to proceed with the Lawsuit to the extent of the liability coverage provided by the
3 liability insurance policy which was in effect at the time of the alleged incident. It is further

4 ORDERED that any and all relief, judgment, or verdict against any of the Debtors
5 in these Chapter 11 cases shall be satisfied from insurance proceeds only. Any and all remaining
6 claims against Debtors not covered by liability insurance shall not be allowed in these Chapter 11
7 cases and are dismissed with prejudice.
8

9
10 Dated: July 6, 1999

11
12 
13 CHARLES G. CASE, II
14 UNITED STATES BANKRUPTCY JUDGE

15 AGREED AS TO FORM AND CONTENT:

16 DEBTORS AND DEBTORS IN POSSION

17
18 By: 

19 One of their Attorneys

20 AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
21 H. Rey Stroube, III
22 S. Margie Venus
23 1900 Pennzoil Place - South Tower
24 711 Louisiana
25 Houston, Texas 77002
26 (713) 220-5800
(713) 236-0822 (fax)

-and-

1 LEWIS AND ROCA LLP
2 Randolph J Haines
3 40 North Central Avenue
4 Phoenix, Arizona 85004-4429
5 (602) 262-5764
6 (602) 262-5747 (fax)

7 SCOTT CARPINELLI AND PAULA CARPINELLI

8 By: Alfred S. Cox
9 One of their attorneys

10 Alfred S. Cox
11 Cox and Cox
12 4252 North Brown Avenue
13 P.O. Box 1526
14 Scottsdale, AZ 85252-1526
15 (602) 254-7203
16 (602) 423-5690 (fax)

17 Attorneys for Scott Carpinelli and Paula Carpinelli
18
19
20
21
22
23
24
25
26